

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

QUIANA JOHNSON, as parent and next)	
friend of REGINALD DEWAYNE)	
WALLACE II, a minor; KARISSA SWEAT,)	
WAYNNESIA BROOKS, and WILLIAM)	
WALLACE)	
)	No. 3:10-0589
v.)	JUDGE CAMPBELL
)	
METROPOLITAN GOVERNMENT OF)	
NASHVILLE AND DAVIDSON COUNTY;)	
JOE SHELTON, in his official and)	
individual capacities; JOHN DOE POLICE)	
OFFICERS #1-#20, in their official and)	
individual capacities)	

ORDER

For the reasons explained in the accompanying Memorandum, the Court rules as follows:

(1) The Metropolitan Government's Motion To Dismiss Second Amended Complaint (Docket No. 34) is hereby GRANTED;

(2) Defendant Joe Shelton's Motion To Dismiss Plaintiffs' Second Amended Complaint (R.33) For Failure To State A Claim (Docket No. 38) is hereby GRANTED;

(3) Quiana Johnson, as parent and next friend of Reginald Dewayne Wallace II, a minor, Waynnesia Brooks, and William Wallace are hereby DISMISSED as plaintiffs from the § 1983 claims (Counts 1 through 3) for lack of standing;

(4) Plaintiff Karissa Sweat's § 1983 claims for municipal liability against the Metropolitan Government of Nashville and Davidson County (Count 3) are hereby DISMISSED WITH PREJUDICE for failure to state a claim; and


(5) All state-law tort claims (Counts 4 through 8) are hereby DISMISSED WITHOUT

PREJUDICE for lack of jurisdiction.

(6) The only claims remaining for litigation are Plaintiff Sweat's § 1983 claims brought against Officer Shelton and the John Doe police officers in their individual capacities for the alleged violation of Reginald Wallace's Fourth Amendment rights (Counts 1 and 2).

(7) This case is returned to the Magistrate Judge for customized case management under Local Rule 16.01 and the Court's Order of Referral entered on June 15, 2010. (Docket No. 3.)

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE